

MEETINGS TO DATE 15  
NO. OF REGULARS 14  
NO. OF SPECIALS 1

LANCASTER, NEW YORK  
JULY 15, 1985

A Regular Meeting of the Town Board of the Town of Lancaster, Erie County, New York, was held at the Town Hall at Lancaster, New York on the 15th day of July 1985, at 8:00 P.M. and there were

PRESENT: STANLEY JAY KEYSA, SUPERVISOR  
RONALD A. CZAPLA, COUNCILMAN  
ROBERT H. GIZA, COUNCILMAN  
DONALD E. KWAK, COUNCILMAN  
JOHN T. MILLER, COUNCILMAN

ABSENT: NONE

ALSO PRESENT: ROBERT P. THILL, TOWN CLERK  
RICHARD J. SHERWOOD, TOWN ATTORNEY  
NICHOLAS LO CICERO, DEPUTY TOWN ATTORNEY  
ROBERT LABENSKI, TOWN ENGINEER  
ROBERT L. LANEY, BUILDING INSPECTOR

COMMITTEE REPORTS - ACTIONS AND DIRECTIVES:

Councilman Kwak for the Highway Committee requested that the Town Clerk write the County Highway Department and bring to their attention the poor and dangerous condition of the pavement on Central Avenue from Walden to Pleasant View Drive especially in the area of the "S" curve at Forton Drive.

PUBLIC HEARING SCHEDULED FOR 8:10 P.M.:

At 8:10 P.M., the Town Board held a Public Hearing to hear all interested persons for or against the termination of the existing fire protection contract between the Town of Lancaster Fire Protection District and Millgrove Volunteer Fire Department, Inc. and a new contract in lieu thereof to be entered into by and between said parties to provide for an increase in funds from the Town of Lancaster Fire Protection District.

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented a copy of a letter which was mailed to the President of Millgrove Volunteer Fire Department, Inc. notifying him of the time and place of this Public Hearing.

Mr. Frank Cullinan, President of the Bowmansville Volunteer Fire Department, Inc., 203 Seneca Place, on behalf of the department, read a prepared statement which in essence said that the Bowmansville Volunteer Fire Department, Inc. views this proposed new contract and increased funding for the Millgrove Volunteer Fire Department, Inc. as a generous gift to the Millgrove Fire Department and they also would like the Town Board to give the Bowmansville Fire Department a like generous gift.

PROPOSERS

NONE

OPPOSERS

NONE

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN GIZA AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:15 P.M.

PUBLIC HEARING SCHEDULED FOR 8:20 P.M.:

At 8:20 P.M., the Town Board held a Public Hearing to hear all interested persons for or against the termination of the existing fire protection contract between the Town of Lancaster Fire Protection District and Twin District Volunteer Fire Company, Inc. and a new contract in lieu thereof to be entered into by and between said parties to provide for an increase in funds from the Town of Lancaster Fire Protection District.

PUBLIC HEARING SCHEDULED FOR 8:20 P.M. CONT'D.:

Affidavits of Publication and Posting of a Notice of a Public Hearing were presented and ordered placed on file.

The Town Clerk presented a copy of a letter which was mailed to the President of Twin District Volunteer Fire Company, Inc. notifying him of the time and place of this Public Hearing.

Mr. Frank Cullinan, President of the Bowmansville Volunteer Fire Department, Inc., 203 Seneca Place, on behalf of the department, read a prepared statement which in essence said that the Bowmansville Volunteer Fire Department, Inc. views this proposed new contract and increased funding for the Twin District Volunteer Fire Company, Inc. as a generous gift to the Twin District Volunteer Fire Company, Inc. and they also would like the Town Board to give the Bowmansville Fire Department a like generous gift.

PROPOSERS

NONE

OPPOSERS

NONE

ON MOTION BY COUNCILMAN KWAK, AND SECONDED BY COUNCILMAN MILLER AND CARRIED, by unanimous voice vote, the Public Hearing was closed at 8:25 P.M.

PREFILED RESOLUTIONS BY COUNCILMEN:

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT;

RESOLVED, that the minutes from the meeting of July 1, 1985, as  
presented by the Deputy Town Clerk, be and hereby are approved.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 15, 1985

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the Executive Director of the Town of Lancaster, by letter dated July 12, 1985, has requested that Suzanne Montesano, Temporary Youth Counselor in the Youth Bureau of the Town of Lancaster, be allowed to attend a training program titled "Working With Adolescents" sponsored by the New York State Division of Substance Abuse Services in New York City from July 23rd through July 26th, 1985,

NOW, THEREFORE, BE IT

RESOLVED, that SUZANNE MONTESANO, a temporary Youth Counselor with the Youth Bureau of the Town of Lancaster, be and is hereby authorized to attend a training program titled "Working with Adolescents" from July 23rd through July 26th, 1985, in New York City, and

BE IT FURTHER

RESOLVED, that all expenses for said attendance will be paid for by the New York State Division of Substance Abuse Services.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 15, 1985

File: R-SEM-MTGS

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
GIZA , TO WIT:

WHEREAS, MILLGROVE VOLUNTEER FIRE DEPARTMENT, INC. and TWIN DISTRICT VOLUNTEER FIRE COMPANY, INC. have heretofore entered into contracts with the Town of Lancaster to furnish fire protection to the Town of Lancaster, and

WHEREAS, by mutual agreement by and between said fire companies and the Town of Lancaster, said parties have requested termination of the said agreements and new contracts in lieu thereof be entered into, and

WHEREAS, said fire companies agree to provide fire protection for the years 1985 through 1987, and

WHEREAS, a separate hearing on each fire protection contract for each of the above fire companies was duly held on the 15th day of July, 1985, pursuant to legal notice duly given,

NOW, THEREFORE, BE IT

RESOLVED, that in accordance with Section 184 of the Town Law of the State of New York, the Town Board of the Town of Lancaster hereby determined it is in the public interest to terminate its agreements on behalf of the Fire Protection District of the Town of Lancaster with MILLGROVE VOLUNTEER FIRE DEPARTMENT, INC. and TWIN DISTRICT VOLUNTEER FIRE COMPANY, INC. and enter into new contracts with said fire companies in lieu thereof, effective January 1, 1985, upon the following terms and conditions:

1. Contracts shall commence January 1, 1985 and terminate December 31, 1987.
2. The parties hereto have the right to amend this contract for the contract years 1986 and 1987 in the event the following formula would provide a greater amount of consideration to said fire company during either of said years:

- a) Multiply \$205,118 plus percentage of increase, times respective percentage of assessed value of primary area of fire protection;  
\$205,118 is the base amount established for the entire fire protection district for the fiscal and calendar year 1985 (before adjustments).
- b) "Percentage of Increase" means that rate of increase if any, expected to be negotiated with the Bowmansville Volunteer Fire Association, Inc., and the Town Line Volunteer Fire Department, Inc., for the contract years 1986 and 1987

3. Provide consideration as follows:

MILLGROVE VOLUNTEER FIRE DEPARTMENT, INC. - \$11,550, which sum is the amount heretofore paid for the contract year 1984. Said payment for the contract year 1985 shall be made in the sum of \$10,071.29 on or before May 1, 1985, and that the further sum of \$1,478.71 be paid on or before November 1, 1985.

TWIN DISTRICT VOLUNTEER FIRE COMPANY, INC. - \$48,408.00, which sum is the amount heretofore paid for contract year 1984. Said payment for the contract year 1985 shall be made in the sum of \$38,316.04 on or before May 1, 1985 and that the further sum of \$10,091.96 be paid on or before November 1, 1985.

and

BE IT FURTHER

RESOLVED, that the Supervisor execute and deliver an agreement incorporating said terms and with such other terms and conditions as shall be agreed upon by the Supervisor, the Town Attorney and MILLGROVE VOLUNTEER FIRE DEPARTMENT, INC., and TWIN DISTRICT VOLUNTEER FIRE COMPANY, INC.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 15, 1985

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY COUNCILMAN MILLER , WHO MOVED  
 ITS ADOPTION, SECONDED BY COUNCILMAN  
 GIZA , TO WIT:

WHEREAS, certain line items in the 1985 General Fund Budget are over-expanded as of June 30, 1985, the mid-year point in the Town's fiscal year, the following budget transfers be and are hereby authorized to the 1985 General fund Budget:

	<u>ACCT. NO.</u>	<u>INCREASE</u>	<u>DECREASE</u>
<u>GENERAL FUND</u>			
Town Justice - contractual expenses	A1110.4		\$ 472.00
Town Justice - equipment	A1110.2	\$ 472.00	
Control of Dogs - contractual expenses	A3510.4		\$ 100.00
Control of Dogs - equipment	A3510.2	\$ 100.00	

and,

WHEREAS, the Town has purchased new air conditioners for the Senior Citizens Program, and

WHEREAS, the Buildings Department Foreman has agreed to pay for a portion of the cost of the new air conditioners, the following transfers be and hereby are authorized to the 1985 General Fund Budget:

<u>GENERAL FUND</u>			
Buildings Dept - contractual expenses	A1620.4		\$ 500.00
Programs for the Aging - equipment	A7610.2	\$ 500.00	

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 15, 1985

File: R-ACCT-TRNS Page 1



THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, the April 1st, 1985 Bond Issue will require additional redemption of Bond Anticipation Notes, which mature September 6, 1985, than was budgeted in the 1985 Sewer District Budget, the following amendments be and hereby are authorized to the 1985 Sewer District Budget:

	<u>ACCT. NO.</u>	<u>INCREASE</u>
<u>SPECIAL DISTRICTS</u>		
Estimated Revenues	SS 510	\$5,000.00
Transfer of Interest Earnings - Sewer Rehab Capital Project	SS5031	\$5,000.00
Appropriations	SS 960	\$5,000.00
Debt Service - BAN Principal	SS9730.6	\$5,000.00

and,

WHEREAS, the costs involved with the April 1, 1985 Bond Issue exceeded those anticipated in the 1985 General Fund Budget for Bond and Note Issue expenses, the following amendments be and hereby are authorized to the 1985 General Fund Budget:

GENERAL FUND

Estimated Revenues	A 510	\$11,000.00
Transfer of Interest Earnings from Capital Projects Fund	A 2956	\$11,000.00
Appropriations	A 960	\$11,000.00
Bond & Note Issue Expense	A 1960	\$11,000.00

and,

WHEREAS, certain budgetary accounts are overexpended as of June 30, 1985, the mid-year point in the Town's fiscal year, the following amendments be and hereby are authorized to the 1985 General fund Budget:

GENERAL FUND

Appropriated Fund Balance	A 599	\$41,576.00
Appropriations	A 960	\$41,576.00
Unallocated Insurance	A 1910	\$22,000.00
Taxes and Assessments on Town property	A 1950	\$ 900.00
N.Y.S. Retirement	A 9010.8	\$ 6,306.00
N.Y.S. Police and Firemens Retirement	A 9015.8	\$12,370.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 15, 1985

File: R-ACCT-TRNS Page 2-3

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN MILLER , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
CZAPLA , TO WIT:

RESOLVED, that the following Audited Claims be and are hereby  
ordered paid from their respective accounts:

<u>ACCOUNT</u>	<u>ORDER NUMBER</u>	<u>TOTAL AMOUNT</u>
General Fund	No. 8277 to 8357 Incl.	\$105,693.92
Part Town Fund	No. 1256 to 1271 Incl.	\$ 35,672.87
Highway Fund	No. 2954 to 2970 Incl.	\$ 17,366.60
Trust & Agency Fund	No. 960 to 975 Incl.	\$ 49,625.70
Federal Revenue Sharing Fund	No. 750 to 750 Incl.	\$116,542.25
Capital Fund	No. 748 to 748 Incl.	\$ 516.00
Community Development Fund	No. 1219 to 1225 Incl.	\$ 956.12

and,

BE IT FURTHER

RESOLVED, that the claims of Depew Electrical Supply, Inc. for \$132.09, Gordon's for \$48.20, M. Kotansky & Son, Inc. for \$209.23, Lancaster Garden Center for \$15.40, David Smith for \$55.00, and Norbert M. Stephan for \$10.20, be and are hereby approved and the Supervisor be and is hereby ordered to submit these claims for payment from Community Development Project No. 438313, Senior Citizens Center, and

BE IT FURTHER

RESOLVED, that the claim of Today's Advertising, for \$495.00, be and is hereby approved and the Supervisor be and is hereby ordered to submit this claim for payment from Community Development Project No. 439313, Ind. Dev. Map Up-Dates.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 15, 1985

THE FOLLOWING RESOLUTION WAS OFFERED  
 BY COUNCILMAN CZAPLA , WHO MOVED  
 ITS ADOPTION, SECONDED BY COUNCILMAN  
 MILLER , TO WIT:

RESOLVED, that the following Building Permit Applications be and are  
 hereby approved and the Issuance of Building Permits be and are hereby  
 authorized:

<u>NO.</u>	<u>NAME</u>	<u>ADDRESS</u>	<u>STRUCTURE</u>
128	Circolo Sporting Italia Inc.	4817 Transit Rd.	ER. SIGN
129	Wm. F. Bosse	59 Simme Rd.	ER. FR. SIN. DWLG, PVT. GARAGE
130	Wm. F. Bosse	61 Simme Rd.	ER. FR. SIN. DWLG, PVT. GARAGE
131	M/M Albert Drescher	5059 William St.	ER. SHED
132	M/M Donald Feldman	6403 Genesee St.	ER. SHED
133	Josela Enter.	8 Old Schoolhouse Rd.	ER. FR. BRK. VEN. SIN. DWLG, PVT. GARAGE
134	Don Wegst	48 Deerpath Dr.	ER. CHIMNEY
135	DKR Const. Co.	5033 Transit Rd.	ER. BRK. VEN. CONCRETE BLK. GYM
136	Kevin Michalski	505 Central Ave.	ER. POOL, DECK
137	Gary Groat	12 Fox Hunt Rd.	ER. POOL, FENCE
138	Leonard Pawlicki	833 Erie St.	DEM., ER. SHED
139	Beauty Pools	163 Pleasant View Dr.	ER. POOL, FENCE
140	M/M Eugene Genson	253 Warner Rd.	ER. PATIO, SHED
141	Ralph White	14 Redleln Dr.	EXT. PATIO

The question of the adoption of the foregoing resolution was duly  
 put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 15, 1985

File: R-BUILDING

Councilman Czaplá requested a suspension of the necessary rule for immediate consideration of the following resolution -  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN CZAPLA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER , TO WIT:

WHEREAS, Stephens Amusements, Inc., owners and operators of the Wehrle Drive-In Theatre, 6729 Transit Road, Lancaster, New York have submitted a renewal application for a license to operate a drive-in theatre within the Town of Lancaster, for the period July 30, 1985 to July 30, 1986, and

WHEREAS, the Town Clerk has informed the Town Board that the necessary license fee and security deposit has been filed with his office, and

WHEREAS, the Building Inspector has reviewed the application and indicated no objection to the issuance of a license to said applicant,

NOW, THEREFORE, BE IT

RESOLVED, that Stephen Amusements Inc., owners and operators of the Wehrle Drive-In Theatre, 6729 Wehrle Drive, Lancaster, New York be and is hereby authorized to operate a drive-in theatre within the Town of Lancaster, New York for the period July 30, 1985 to July 30, 1986.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 15, 1985

File: R-LIC-DRVIN

Councilman Kwak requested a suspension of the necessary rule for  
immediate consideration of the following resolution -  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
MILLER TO WIT:

WHEREAS, the Highway Superintendent of the Town of Lancaster, by  
letter dated July 10, 1985, has recommended the employment of Mark  
Impastato for summer employment in the Highway Department of the Town of  
Lancaster,

NOW, THEREFORE, BE IT

RESOLVED, that the Highway Superintendent of the Town of  
Lancaster be and is hereby authorized to employ MARK IMPASTATO, 228 Hall  
Road, Lancaster, New York for the period July 1, 1985 to August 30, 1985,  
in the Highway Department of the Town of Lancaster, on a temporary basis at  
an hourly rate of \$4.00 per hour, conditioned upon certification by the  
Highway Superintendent that Mark Impastato is over the age of 18 years, is  
duly enrolled in a course of higher education at the college level and will  
be returning to school to pursue said education at the end of the summer  
season.

The question of the adoption of the foregoing resolution was duly  
put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 15, 1985

File: R-SUMR-YTH

Councilman Kwak requested a suspension of the necessary rule for

Immediate consideration of the following resolution -

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN KWAK , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
CZAPLA , TO WIT:

WHEREAS, John Miller and Robert Giza, Councilmen for the Town of Lancaster, by letter dated July 15, 1985, have requested authorization to attend the National Association of Towns and Townships Conference to be held in Washington, D.C., from September 4th through September 6th, 1985,

NOW, THEREFORE, BE IT

RESOLVED, that JOHN MILLER and ROBERT GIZA, Councilmen for the Town of Lancaster, be and are hereby authorized to attend the National Association of Towns and Townships Conference to be held in Washington, D.C., from September 4th through September 6th, 1985,

BE IT FURTHER

RESOLVED, that expense reimbursement required for the attendance of John Miller and Robert Giza be and is hereby authorized in an amount not to exceed \$650.00 each, and

BE IT FURTHER

RESOLVED, that the following 1985 Budget Amended be effected:

<u>GENERAL FUND</u>	<u>ACCT. NO.</u>	<u>INCREASE</u>
Appropriated Fund Balance	A 599	\$675.00
Appropriations	A 960	\$675.00
Councilmen - contractual expenses	A1010.4	\$675.00

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 15, 1985

File: R-SEM-MTGS

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution -  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT;

WHEREAS, the Executive Director of the Youth Bureau of the Town of Lancaster, by letter dated July 15, 1985, has recommended the appointment of Linda Wagner to the fill the vacancy of Technical Director for the Summer Theatre Workshop Program of said Bureau,

NOW, THEREFORE, BE IT

RESOLVED, that LINDA WAGNER, 56 Cowing Street, Lancaster, New York be and is hereby appointed to replace Thomas Szymanski as Technical Director in the Summer Theatre Workshop of the Lancaster Youth Bureau, at an hourly rate of \$5.00, for the period July 15, 1985 to August 9, 1985.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 15, 1985



Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED:

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
KWAK , TO WIT:

WHEREAS, Facilities Development Corporation of the State of New York has offered to renew the Lease for five years of a town owned building at the Town Center on Pavement Road for use by the Buffalo Psychiatric Center, and

WHEREAS, the Lease, dated May 19, 1980 provides an option to renew by the tenant at a rent mutually agreeable to the parties, and

WHEREAS, Facilities Development Corporation has proposed a rent schedule as follows:

<u>PERIOD</u>	<u>MONTHLY RENTAL</u>	<u>ANNUAL RENTAL</u>
7/1/85 - 6/30/86	\$ 600	\$ 7,200.00
7/1/86 - 6/30/87	700	8,400.00
7/1/87 - 6/30/88	800	9,600.00
7/1/88 - 6/30/89	900	10,800.00
7/1/89 - 6/30/90	1,000	12,000.00

and,

WHEREAS, the Town Board of the Town of Lancaster after review believes this lease to be reasonable,

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster be authorized to accept the renewal of the Lease with Facilities Development Corporation for a building at the Town Center for use by Buffalo Psychiatric Center on the rental schedule as proposed by Facilities Development Corporation.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES

COUNCILMAN GIZA VOTED YES

COUNCILMAN KWAK VOTED YES

COUNCILMAN MILLER VOTED YES

SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 15, 1985

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution:

SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
CZAPLA , TO WIT:

WHEREAS, the New York State Department of Labor has inspected the Town Hall Facility at 21 Central Avenue, Lancaster, New York, and found numerous violations of OSHA Regulations as they apply to places of public employment, pursuant to §27-1 of Labor Law, State of New York, and

WHEREAS, the Department of Labor has given the Town a deadline to take action to make corrections of these violations or risk the closing of the Town Hall Building, and

WHEREAS, the State of New York has enacted legislation which provides for a program of state aid to abate occupational safety and health hazards through application for funding to the State Occupational Safety and Health Hazard Abatement Board;

NOW, THEREFORE, BE IT

RESOLVED, that the Supervisor of the Town of Lancaster is authorized to make application to the New York State Occupational Safety and Health Hazard Abatement Board, Department of Labor, Two World Trade Center, Room 6911, New York, New York 10047, for state aid for abatement of the cited violations.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call, which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 15, 1985

Councilman Giza requested a suspension of the necessary rule for immediate consideration of the following resolution -  
SUSPENSION GRANTED.

THE FOLLOWING RESOLUTION WAS OFFERED  
BY COUNCILMAN GIZA , WHO MOVED  
ITS ADOPTION, SECONDED BY COUNCILMAN  
CZAPLA , TO WIT:

WHEREAS, the Supervisor has requested authorization to attend a meeting in Albany, New York on July 15, 1985, with the Executive Director of the Association of Towns of the State of New York, for the purpose of exploring alternative avenues in view of the recent liability insurance prices that are sweeping the State of New York,

NOW, THEREFORE, BE IT

RESOLVED, that Stanley Jay Keysa, Supervisor of the Town of Lancaster, be and is hereby authorized to attend an insurance conference meeting in Albany, New York on July 15, 1985, with the Executive Secretary of the Association of Towns of the State of New York, and

BE IT FURTHER

RESOLVED, that expense reimbursement for ordinary and necessary expenses incurred in attending this meeting be and is hereby authorized.

The question of the adoption of the foregoing resolution was duly put to a vote on roll call which resulted as follows:

COUNCILMAN CZAPLA VOTED YES  
COUNCILMAN GIZA VOTED YES  
COUNCILMAN KWAK VOTED YES  
COUNCILMAN MILLER VOTED YES  
SUPERVISOR KEYSA VOTED YES

The resolution was thereupon unanimously adopted.

July 15, 1985

STATUS REPORT ON UNFINISHED BUSINESS:

1. Public Improvement Permit Authorization - Countryview East Subdivision, Phase I (Marrano)  
The retention pond has not yet been accepted but completion is secured by a Letter of Credit expiring on November 1, 1985.
2. Public Improvement Permit Authorization - Heritage Hills Subdivision  
The Town Board is awaiting maintenance security for P.I.P. No. 65 (retention pond) prior to acceptance.
3. Public Improvement Permit Authorization - Lancaster Industrial Commerce Center  
The Town Board authorized issuance of P.I.P.No. 77 (water main) and No. 78 (retention basin) on June 6, 1983.
4. Traffic Study - Reconstruction, Genesee Street and Ransom Road  
On September 10, 1984 the N.Y.S.D.O.T notified the Town Board that the Final Design Report on this project is complete and available.
5. Traffic Study - Signal, Bowen Road and William Street  
On October 19, 1984, the County Deputy Highway Commissioner informed the Board that visability restrictions have been removed at this intersection and that the present traffic control flasher was found to be adequate.
6. Traffic Study - Speed Reduction, Pavement Road  
On February 6, 1984, this matter was referred to the Police Chief for investigation and recommendation.
7. Traffic Study - Speed Reduction, Ransom Rd. from Walden to Clarence Line  
On November 7, 1983, this matter was referred to the Police Chief for investigation and recommendation.

COMMUNICATIONS:DISPOSITION

522. Dep. Town Clerk to Highway Supt. - Transmittal of resolution authorizing Supervisor to implement removal of materials from East Motor Pool Building.	R & F
523. Dep. Town Clerk to Pres., Twin District and Millgrove Fire Depts. - Transmittal of Legal Notice setting public hearings on 7/15/85 regarding fire contracts.	R & F
524. D.C.O. to Town Board - Monthly report for June 1985.	R & F
525. Supervisor to John R. Schuler, Inc. - Confirmation regarding restoration of sidewalks on 7/8/85 on Donna Lea.	R & F
526. N.E. Communities Solid Waste Management Committee to Supervisor - Agenda of meeting to be held 7/11/85 at Cheektowaga.	R & F
527. County Dept. of Environment and Planning to Supervisor - Summary of CD Steering Committee meeting held 6/20/85.	R & F
528. State Assemblyman John L. Behan to Supervisor - Outline of proposed legislation regarding veterans' real property tax exemptions.	R & F
529. Andrea R. Stein to Highway Supt. - Request advisement to status of upkeep of Heritage Hills Subdivision entranceway grounds.	R & F
530. Dep. Town Clerk to Various Newspapers - Transmittal of Legal Notice setting bid opening for removal/replacement of sidewalks on Glendale/Parkdale on 7/29/85.	R & F
531. Town of Colden to County Executive - Transmittal of resolution opposing County assistance in building of baseball stadium.	R & F
532. Town Clerk to Supervisor - Monthly report for June 1985.	R & F
533. Town of Grand Island to County Executive - Transmittal of resolution supporting Town of Colden's opposition to County assistance in building of baseball stadium.	R & F
534. Harold Zoerb to Town Clerk - Request rezoning of southwest corner of Harris Hill and Wehrle Dr. to C1.	R & F
535. Governor to Supervisor - Transmittal of speech concerning President's tax plan with request for review.	R & F
536. County Dept. of Environment and Planning to Supervisor - List of questions and concerns regarding rezone petition of Zoerb & Co.	PLANNING BOARD CHAIRMAN

COMMUNICATIONS CONT'D.:DISPOSITION

537. NYSDOT to Supervisor - Transmittal of executed agreement pertaining to School Street Project.	R & F
538. Buildings Dept. Foreman to Supervisor - Report on Prast Building.	BLDG. COMMITTEE
539. Supervisor to Buffalo Suburban Seventh-Day Adventist Church School - Notice of referral of letter regarding school zone to Public Safety Comm.	PUBLIC SAFETY COMMITTEE
540. Supervisor to Highway Supt. - Request for additional data to substantiate transfer of funds.	R & F
541. Town Engineers to Supervisor - Notice of dispute regarding provisional indirect cost rate by NYSDEC for Sewer Rehab Project.	R & F
542. Supervisor to Pres., Town Line and Bowmansville Fire Depts. - Transmittal of copy of Notice of Public Hearings regarding amended contracts for Twin District and Millgrove.	R & F
543. Planning Board to Town Board - Minutes from meeting held 7/3/85.	R & F
544. Planning Board to Town Board - Recommendation of approval of Zoerb Rezone Petition.	ATTY. FOR SEQR COMMITTEE REVIEW
545. Asst. Building Inspector to Town Board - Monthly report for June 1985.	R & F
546. Highway Supt. to Town Board - Request summer employment for Mark Impastato.	TOWN CLERK FOR SUSP. RESOLUTION
547. Highway Supt. to Supervisor - Update on drainage problems of Mrs. Meinginghaus and Mrs. Meister.	R & F
548. Reassessment Consortium of Erie County Governments to Governor - Request signing of Senate and Assembly Bills authorizing temporary use of extension of school taxes.	R & F
549. N.Y.S. School of Industrial Relations and Labor Relations to Supervisor - Announcement of Employer Compliance Program regarding workplace toxic substance.	R & F INSURANCE COMMITTEE
550. Supervisor to NYSDOT - Indication that Town has no interest in abandoned Oakfield secondary railroad property.	R & F
551. Youth Bureau Ex. Dir. to Supervisor - Request attendance of Suzanne Montesano at training program in N.Y.C. from 7/23-26/85.	R & F

COMMUNICATIONS CONT'D.:

Supervisor Keysa requested a suspension of the necessary rule for immediate consideration of the following communications -

SUSPENSION GRANTED.

	<u>DISPOSITION</u>
552. Office of the Secretary of the Treasury to Supervisor - Payments for Revenue Sharing.	<u>R &amp; F</u>
553. Councilman Miller to Town Board - Request authorization to attend National Assoc. of Towns & Townships Conference in Washington D.C. Sept. 4-6, 1985.	<u>TOWN CLERK FOR</u> <u>SUSPENDED RESOLUTION</u>
554. Exec. Dir. Youth Bureau to Supervisor - Request that Linda Wagner replace Thomas Szymanski as Technical Director for Summer Theater Workshop.	<u>TOWN CLERK FOR</u> <u>SUSPENDED RESOLUTION</u>
555. Bldg. Inspector to Town Board - Approval of License renewal for Wehrle Drive In Theater for 1985-86.	<u>TOWN CLERK FOR</u> <u>SUSPENDED RESOLUTION</u>

ADJOURNMENT:

ON MOTION OF COUNCILMAN CZAPLA, AND SECONDED BY THE ENTIRE TOWN BOARD AND CARRIED, the meeting was adjourned at 9:30 P.M. out of respect to:

JOHN MROZEK  
GERALD WHITTAKER  
JIM WOJTOWICZ

Signed Robert P. Thill  
Robert P. Thill, Town Clerk